

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  LEVEL 3 COMMUNICATIONS, LLC	DOCKET NO. TCU-99-1
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**ORDER GRANTING APPLICATION AND WAIVERS**

(Issued April 30, 1999)

On January 11, 1999, Level 3 Communications, LLC (Level 3), filed an application for issuance of a certificate of public convenience and necessity, pursuant to IOWA CODE § 476.29 (1999). Level 3 intends to provide resold local exchange service in the exchanges currently served by U S West. No objections were filed.

IOWA CODE § 476.29(2) (1999) provides that the local exchange carrier shall not be denied a certificate if the Utilities Board (Board) finds that the applicant "possesses the technical, financial, and managerial ability to provide the service it proposes to render and the board finds the service is consistent with public interest." The Board has carefully reviewed Level 3's application and finds Level 3 has demonstrated that it has the necessary technical, financial, and managerial ability to provide local exchange service. It is in the public interest to grant a certificate to Level 3.

Level 3 requested the Board waive the requirements of IOWA ADMIN. CODE 199-16.5(2) (requiring accounts), 18.2 (governing location of records), and 22.3(2)

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(requiring publication of directories) (1999). The Board will grant Level 3's request for waiver.

**IT IS THEREFORE ORDERED:**

1. The application for a certificate of public convenience and necessity filed by Level 3 Communications, LLC, on January 11, 1999, is granted, subject to the requirements that follow.

2. At the time Level 3 files tariffs with the Board, it must give notice to all affected local exchange carriers. Upon approval of tariffs to reflect the prices, terms, and conditions of local exchange service in Iowa offered by Level 3 and upon approval of maps and other documentation which will define the service territory where Level 3 desires to serve all eligible customers, the Board will issue a certificate of public convenience and necessity allowing Level 3 to provide local exchange service in Iowa.

3. The request for waiver of IOWA ADMIN. CODE 199-16.5(2), 18.2, and 22.3(2) is granted.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Paula S. Dierenfeld

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary, Deputy

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Dated at Des Moines, Iowa, this 30<sup>th</sup> day of April, 1999.